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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STEPHANIE HART, individually,

Plaintiff,

v.

CINDA GIFFORD, et. al.

Defendants.

Case No. 3:07-CV-00402-LRH-GWF

**STIPULATION AND
ORDER
REGARDING SCHEDULING**

1 WHEREAS, Plaintiff Stephanie Hart (“Hart”) filed a Complaint with the United States
2 District Court of Nevada on September 7, 2007;

3 WHEREAS, pursuant to the Hon. Larry R. Hicks’ August 21, 2007 order in *Elhifny v.*
4 *Gifford*, et al., 3:04-CV-00583-LRS-PAL (the “Elhifny Action”), Hart filed a Notice of Related
5 Case with the Complaint so that the Hart Action and the Elhifny Action could be consolidated for
6 the purposes of discovery and motion practice;

7 WHEREAS, the Parties already jointly stipulated to—and the Court ordered—a discovery
8 schedule in the Elhifny Action, in part because an interlocutory appeal that affects the claims set
9 forth in the Elhifny complaint, and that may affect claims in the Complaint filed in this case, is
10 currently pending before the United States Court of Appeals for the Ninth Circuit (Docket Nos.
11 07-16685 and 07-16743);

12 WHEREAS, under the Court’s Order dated February 12, 2008, the Court set the following
13 schedule:

14 (a) The parties shall meet and confer pursuant to Fed. R. Civ. P. 26(f) no later than 4:00
15 p.m. February 26, 2008;

16 (b) Last date to complete discovery shall be May 13, 2008;

17 (c) Last date to amend pleadings and add parties shall be February 13, 2008;

18 (d) Last date to file interim status report shall be March 14, 2008;

19 (e) Last date to disclose experts pursuant to Fed. R. Civ. P. 26 (a)(2) shall be April 2,
20 2008;

21 (f) Last date to disclose rebuttal experts shall be made within 30 days after the initial
22 disclosure of experts;

23 (g) Last date to file dispositive motions shall be June 12, 2008;

24 (h) Last date to file joint pretrial order shall be July 14, 2008;

25 WHEREAS, for the convenience of the Parties, witnesses, and experts, the Parties agree
26 that the discovery schedule in the Hart Action should be the same as the schedule in the Elhifny
27 Action; and
28

1 WHEREAS, the Parties agree that any information or materials discovered in the Elhifny
2 Action may be used in the Hart Action.

3 IT IS HEREBY STIPULATED THAT:

4 (1) The parties shall still meet and confer pursuant to Fed. R. Civ. P. 26(f) no later than
5 4:00 p.m. February 26, 2008.

6 (2) The last date to complete discovery shall be May 30, 2008.

7 (3) The last date to amend pleadings and add parties shall remain February 13, 2008.

8 (4) The last date to file interim status report shall remain March 14, 2008.

9 (5) The last date to disclose experts pursuant to Fed. R. Civ. P. 26(a)(2) shall be March 3,
10 2008.

11 (6) The last date to disclose rebuttal experts shall be April 2, 2008.

12 (7) The last date to file dispositive motions shall be stayed pending the interlocutory
13 appeal of the Court's June 2007 Order in the *Elhifny* Action.

14 (8) The last date to file the joint pretrial order shall be stayed pending the interlocutory
15 appeal of the Court's June 2007 Order in the *Elhifny* Action.

16 (9) Any modifications to the dates set forth herein must be agreed to by both Parties in
17 writing before being presented to the Court for its approval. Either Party may move the
18 Court for relief from the stay imposed by this Order upon first giving the other party 10
19 days notice of its intent to do so.

20 IT IS SO STIPULATED.
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1 Dated: February 20, 2008

O'MELVENY & MYERS LLP

2
3 By: /s/ David S. Almeling

4 David S. Almeling
Attorneys for Plaintiff JANA ELHIFNY

5 Dated: February 20, 2008

MAUPIN, COX & LeGOY

6
7 By: /s/ Christopher D. Jaime

8 Christopher D. Jaime
Attorneys for Defendants, CINDA GIFFORD,
9 *et al.*

10 IT IS SO ORDERED:

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14 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

SF1:705403.2

15 DATED: February 22, 2008